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PRESENTATION BY KRISTIN PAIVA AT NARTC WINTER MEETING

In March, Thorpe Shwer partner, Kristin Paiva, presented to attorneys and other industry leaders at the Winter meeting of the National Association of Railroad Trial Counsel about how state regulations are treated in the context of the Federal Employers Liability Act (“FELA”). 45 U.S.C. § 54a provides that certain regulations, standards, and requirements prescribed by a State agency are deemed to be “statutes” for the purposes of Sections 53 and 54 of the Federal Employers Liability Act. Ms. Paiva’s presentation, entitled: “The Scope of Section 54a: An analysis of the actionability of state regulations under the FELA,” explored the kinds of state regulations that should be considered “statutes” and the reasons why it matters in the context of FELA litigation. Ms. Paiva also examine the applicable federal precedent and scrutinized arguments made by plaintiff’s counsel in favor of a broad interpretation.